





# ***Preliminary Recommendations***

*Posted for Public Comment: November 19, 2004-December 19, 2004*

## **Secretary of State's Task Force on Uniform Poll Worker Training Standards**

*Freddie Oakley, Chair*

*Final Recommendations to be Submitted to  
California Secretary of State Kevin Shelley  
and the California State Legislature  
January 2005*



## **Information on Submitting Public Comments**

These Preliminary Recommendations are provided, pursuant to California Elections Code §12309.5, for public comment at the Secretary of State's Web site at [http://www.ss.ca.gov/elections/pollworker\\_training\\_task\\_force.htm](http://www.ss.ca.gov/elections/pollworker_training_task_force.htm).

During this 30-day period (Friday, November 19 through Saturday, December 18, 2004) the public is encouraged to send written comments by any of the following methods:

Write to: Secretary of State Kevin Shelley  
Attn: Poll Worker Training Standards  
1500 11<sup>th</sup> Street  
Sacramento, CA 95814

Email: TaskForceComments@ss.ca.gov

Fax: (916) 653-9675

After this 30-day public comment period, the Task Force will consider the comments, and then submit final recommendations to the Secretary and the Legislature. The Secretary is then required by law to consider these recommendations in establishing statewide uniform poll worker training standards by June 30, 2005.

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## I. Executive Summary

Until the enactment of the federal Help America Vote Act of 2002 (HAVA) (HR 3295, P.L. 107-252), poll worker recruitment and training has been primarily a responsibility of the counties in California. Title 12 of the California Elections Code designates counties to appoint and instruct members of precinct boards “concerning their duties in connection with the conduct of the election.”

The enactment of HAVA brought the state into the arena of poll worker training. Section 254(a) of HAVA requires that each state prepare a HAVA state plan detailing what it will do to implement the new federal mandates, including a description of how each state will use HAVA Title II funds to educate elections officials and poll workers.

Pursuant to this, the state adopted its plan, *“My Vote Counts: The California Plan for Voting in the 21st Century”* which explains how it intends to provide assistance to counties with regard to training poll workers. This plan states that the Secretary of State will

“ensure that any training provided to poll workers covers at least the following topics:

- The proper operation and maintenance of voting systems and technology;
- The rights of voters to cast provisional ballots, the proper processing and counting of those ballots, and how provisional voters can determine whether their votes were counted and, if not, why not;
- The non-discriminatory application of HAVA’s identification requirements for certain voters who register by mail;
- Identifying and assisting voters with disabilities, including psychiatric disabilities, in order that such voters can participate fully in the voting process independently and privately;
- The rights of minority language voters in jurisdictions covered under Section 203 of the Voting Rights Act of 1965 to receive language assistance at the polling place” (*“My Vote Counts: The California Plan for Voting in the 21st Century”*, page 20).

Concurrently, the Secretary of State sponsored Senate Bill 610 (Escutia), legislation to establish this Task Force and require adoption of uniform poll worker training standards, based on the Task Force’s recommendations.

This Task Force met four times and developed recommendations in 11 categories: (1) Voting Rights; (2) Election Challenge Procedures, (3) The Operation of a Jurisdiction’s Voting System; (4) Preventing, Detecting and Addressing Problems with Voting Systems; (5) Poll Hours; (6) Relevant Election Laws; (7) Cultural Competency; (8) Voters with Disabilities; (9) Procedures involved with First-Time Voters, Provisional Voting, Absentee Voting, etc.; (10) Authority of Poll Workers and Appropriate Limits of that Authority; and (11) Further Recommendations.

The Task Force made numerous recommendations within each of these areas, among the most important of which include:

- Poll worker training must include detailed information to ensure that the rights of every voter are protected.
- Poll workers must be educated both on the authority of their role as a poll worker, and the appropriate limits of that authority in order to ensure no voter's rights are infringed.
- Training must include instruction on the state election laws that poll workers must follow on Election Day including poll worker duties, issuing and receiving ballots, opening and closing procedures, how and when to issue provisional ballots, and what constitutes intimidation of voters and corruption of the election process.
- Poll workers must be instructed on the standard operating procedures for their jurisdiction's voting system including set-up, operation, and dismantling the system. They must also be informed how to troubleshoot common problems and how and when to request assistance for other problems.
- Each prospective poll worker must receive up to an hour of hands-on training with the voting system they will use on Election Day. If a system has more than one piece of equipment, poll workers must have hands-on training on each piece of equipment.
- Instruction must be provided to poll workers on how to be respectful and sensitive to the needs of voters with a disability, speak a language other than English, or are from a background different than the poll worker.
- The Secretary of State, in conjunction with a public university, should establish a statewide center to develop interactive training materials and programs for poll workers and elections officials, and to provide guidance to counties on improving how elections are conducted.

In addition to its recommendations, the Task Force also provided a series of best practices on recruiting poll workers and best practices on useful methods and materials for poll worker training.

The Task Force believes these recommendations and accompanying best practices provide useful guidance for counties in successfully training poll workers to facilitate elections across California.

## II. Introduction

The Secretary of State's Task Force on Uniform Poll Worker Training Standards was created pursuant to Senate Bill 610 (Escutia), Chapter 530, Statutes of 2003. This bill, which amended aspects of Title 12 of the California Elections Code, was sponsored by Secretary of State Kevin Shelley.

This law requires the Task Force to study the issues and offer recommendations for "uniform guidelines for the training" of poll workers. The primary focus of the Task Force was to create a set of uniform standards to ensure that California's poll workers are properly trained in administering voting, handling emergencies, and properly using their county's election equipment. The Task Force recommendations are also designed to provide instruction to poll workers in serving voters with a disability or who do not speak English as their primary language.

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Concurrently, the Secretary of State sponsored Senate Bill 610, legislation to establish this Task Force and require adoption of uniform poll worker training standards, based on the Task Force's recommendations.

Like HAVA, SB 610 was introduced in response to concerns about poll worker training following the events in Florida surrounding the controversial 2000 election and the increasing complexity of polling place operations due to changing voting technology. According to the legislation, "While California has made significant progress in the last decade in reforming the statutes and procedures that govern the administration of elections, and has moved forward to provide voters with more modern voting equipment, the possibility for disruption of elections, by accident or design, requires the state to ...provide for procedures to promote the uniform and accurate administration of elections."

But even with the enactment of SB 610, it has become increasingly clear that poll worker training is inconsistent, and in some instances, inadequate, to ensure smooth elections. During the March 2, 2004 primary election in California, some counties encountered problems that, according to a report prepared by the Office of the Secretary of State following that election, resulted from a combination of the complex technology and uneven poll worker training.

Among its conclusions, the report recommended the adoption of "statewide poll worker training standards that require minimum time for each trainee on the systems they will operate on Election Day."

Counties in California choose which voting system to use from among systems certified by the Secretary of State. Consequently, training on operating voting equipment differs based on the particular voting system used by each county. However, practically everything else about the election process is the same statewide. So the training poll workers receive about those processes can and should be uniform.

In the November 2, 2004 General Election, California recruited, trained, and assigned 80-100,000 poll workers to administer voting in 23,931 precincts across the 58 California counties, 27 of which have multiple language requirements. This was an enormous undertaking, but especially so considering that all of these individuals served their communities with limited training and increasingly complex technology, legal requirements, and voter diversity. Therefore, there are many areas where uniform training would be useful.

Under the new law, the Task Force is required to recommend uniform standards that address, at a minimum, the following:

- 1) The rights of voters, including language access rights for linguistic minorities, the disabled, and other protected classes as defined in the federal Voting Rights Act.
- 2) Election challenge procedures such as challenging precinct administrator misconduct, fraud, bribery, or discriminatory voting procedures.

- 3) Operation of a jurisdiction's voting system, including modernized voting systems, touch-screen voting, and proper tabulation procedures.
- 4) Poll hours.
- 5) Relevant election laws and any other subjects that will assist an inspector in carrying out his or her duties.
- 6) Cultural competency, including having adequate knowledge of diverse cultures and languages that may be encountered by a poll worker during the course of an election, and the appropriate skills to work with the electorate.
- 7) Knowledge regarding issues confronting voters who have disabilities including, but not limited to, access barriers and need for reasonable accommodations.
- 8) Procedures involved with provisional, fail-safe provisional, absentee, and provisional absentee voting. (Cal. Elections Code §12309.5)

However, the Task Force has determined that there are other areas where minimum standards would also be warranted such as methods for preventing, detecting and addressing problems with voting systems, and a discussion on the authority of poll workers. This last item was included because some poll workers are not always trained to understand the scope and limits of their authority in the election process. Additionally, the Task Force members felt it was necessary to illustrate some of the recommendations with a variety of best practices, so that jurisdictions could learn from each other.

By statute, the Task Force must consist of at least twelve individuals including the chief elections officer of California's two largest counties, the two smallest counties, and two other county elections officers selected by the Secretary of State. The remaining members were required to be individuals with elections expertise and must include members of community-based organizations that are "familiar with different ethnic, cultural, and disabled populations."

The work of the Task Force will help California's 58 counties improve the training and understanding of Election Day procedures, voters' rights, and understanding the needs of citizens who might be different than them. This document contains the Task Force's recommendations for making poll worker training standards uniform across all counties in the State of California.

### **III. Overview of the Task Force**

The Secretary of State's Task Force on Uniform Poll Worker Training Standards was a diverse, 14-member body appointed by Secretary of State Kevin Shelley, pursuant to California Elections Code Section 12309.5.

The Task Force held four public meetings in Sacramento and Los Angeles between August 25 and October 13, 2004. The hearings were publicized in advance by postings on the Secretary of State's Web site and through various press releases. The meetings were audio-recorded and documented by minutes, which are also posted on the Secretary of State's Web site. The meetings were held in compliance with the federal Americans with Disabilities Act and the state's Bagley-Keene Open Meetings Act.

On November 19, 2004, the Preliminary Recommendations of the Secretary of State's Task Force on Uniform Poll Worker Training Standards were made available for public inspection at the Secretary of State's office in Sacramento and a notice was published to that effect on the Secretary of State's Web site. A news release was issued announcing that the Preliminary Recommendations were available for public inspection and comment until December 17, 2004. Copies were posted in English and Spanish on the Secretary of State's official Web site ([www.ss.ca.gov](http://www.ss.ca.gov)).

Copies of the Preliminary Recommendations were sent to interested persons and organizations. Comments regarding the Preliminary Recommendations were received by mail, hand delivery, fax, and e-mail. All comments were considered. Revisions of the Preliminary Recommendations were made in response to the comments. What follows are the final recommendations of the Task Force to the Secretary and the Legislature. Then, pursuant to the law, the Secretary must consider the recommendations in establishing statewide uniform training standards by June 30, 2005.

## IV. Members of the Task Force

### Secretary of State's Task Force on Uniform Poll Worker Training Standards

Freddie Oakley – Task Force Chair  
Yolo County Clerk-Recorder  
Woodland, CA

Ernest “Chuck” Ayala  
Federal Liaison, AARP  
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Phil Ting  
Executive Director, Asian Law Caucus  
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Dr. Geraldine R. Washington  
President, Los Angeles NAACP  
Los Angeles, CA

Stephen Weir  
Contra Costa County Clerk  
Martinez, CA

#### Staff to the Task Force:

Marc Carrel, Assistant Secretary of State, Policy & Planning, California Secretary of State's Office  
Rachel Zenner, Voter Education Community Relations Representative, California Secretary of State's Office  
Tom Stanionis, Director of Technology, Yolo County Elections  
Casey Elliott, Legislative Assistant, California Secretary of State's Office  
John Mott-Smith, Chief of Elections, California Secretary of State's Office

## **V. Survey of County Poll Worker Training Programs**

Following the March 2004 Primary Election, in preparation for the work of this Task Force, the Secretary of State's office conducted a survey of California counties in an effort to learn more about current poll worker training programs. With the exception of Madera County, all of California's counties responded to the survey. Although Alpine County responded, it is so small that it conducts elections entirely by mail and, therefore, does not utilize poll workers.

California's counties vary widely in size – both of population and geographic area. For instance, California's two smallest counties, Alpine and Sierra, contain 1,209 and 3,502 residents respectively. This contrasts sharply with Los Angeles County, the largest voting jurisdiction in the nation, which has a population of 9.87 million people including approximately 3.6 million registered voters. San Bernardino County has the greatest land mass of any county in the continental U.S. at over 20,000 square miles. This is larger than nine U.S. states including Massachusetts and Maryland. On the other end of the spectrum, San Francisco sits on 91 square miles.

In the survey, the counties were asked six questions:

1. How many poll workers were trained for the March 2004 primary?
2. Of those poll workers, how many were returning poll workers?
3. How many student poll workers were trained?
4. How long was the training session?
5. How much time were poll workers trained on voting machines?
6. Did the counties use any non-traditional training methods?

The most significant finding of the survey was the great variability of poll worker training throughout the state, highlighting the need for a uniform system. (See Appendix 1)

### **Returning Poll Workers**

Given the enormous differentiation in size and population, it is not surprising that the number of poll workers trained in each county varies widely.

Of the poll workers who were trained for the March 2004 primary, a significant number had served previously. At least 70% of the poll workers had served previously in 42 of the responding counties. This statistic may be reflective of a poll worker force that tends to be older, and may signal the need to find new recruitment methods as poll workers retire due to age, infirmity or a lack of desire to learn how to use new voting systems.

This is happening as many counties seek to utilize county employees as poll workers. Recent legislation has encouraged the use of state employees and students as poll workers as well. A statutory change in January 2004 increased from two to five the number of student poll workers eligible to serve at any one precinct. Most counties are trying to bring on new poll workers, including students. In the March 2004 primary election, 40 counties trained students to serve as poll workers in their counties.

### **Length of Training**

Overall training time varied a great deal from county-to-county. Three counties offered training for one hour or less, while 15 counties provided training of 90 minutes to two hours in length. Another 15 counties trained poll workers for two hours, eight conducted training sessions lasting between two hours and fifteen minutes to three hours. Finally, nine counties offered training for three hours, and six counties provided training for more than three hours.

Instruction on how to operate the county's voting system also varied greatly. In 15 counties, poll workers were not trained at all to operate voting machines for the March primary. Poll workers received up to 15 minutes of instruction in six counties, between 15 to 30 minutes in four counties, and between 30 minutes to one hour of training in 7 counties. Thirteen counties provided instruction on their voting system for an hour or more, while ten other counties responded that their poll worker training time varied.

### **Methods**

The traditional classroom lecture was the most common training method. However, 21 counties reported that they used some non-traditional training methods. The definition of a non-traditional training method varied a great deal, however. Some counties described Microsoft PowerPoint presentations as being non-traditional, while others stated that their use of videos or DVD's was non-traditional. Labs, hands-on instruction, quizzes and role-playing scenarios were other non-traditional methods listed in county responses. Some variation in teaching methods can be attributed to the demands of the different technologies used in California's elections.

*See Appendix 1, below, for a table of survey responses.*

## **VI. Recommendations**

### **1. The Rights of Voters**

Poll workers may have little or no understanding of the rights of voters and what steps must be taken to protect those rights. Often voters who encounter a problem with voting are treated as having done something wrong. In order to protect the rights of voters, ensure the integrity of the election process, and make the voting process as smooth as possible, poll workers must be trained to understand and ensure the following voting rights.

Many of these rights are included in the state's Voter Bill of Rights which poll workers are required to post conspicuously inside and outside of each polling place on Election Day. How poll workers respond to questions, problems, or seemingly minor unforeseen situations, may have a significant impact on voters – particularly those voting for the first time, those with a disability or those whose primary language is not English. For a new voter, if their first opportunity to vote is uninviting, it may discourage that person from voting in the future. For those requiring assistance or additional attention, if that assistance is inadequate, or provided only grudgingly, the voter may feel dismissed, and their voting experience may be marred.

#### **RECOMMENDATIONS:**

To provide a positive voting experience for all, and to ensure that the rights of every voter are protected and ensured, we recommend that poll workers be familiar with the following rights of voters:

#### **General Rights**

##### **Right to Cast a Ballot**

- Every valid registered voter has a right to cast a ballot. A valid registered voter means a United States citizen who is a resident in this state, who is at least 18 years of age and not in prison or on parole for conviction of a felony, and who is registered to vote at his or her current residence address.
- Voters have the right to cast a secret ballot free from intimidation. Poll workers must be trained to watch for and address any intimidation – even subtle intimidation or electioneering. They must also be sure to enable voters with disabilities, or any voter requiring assistance, the same opportunity for privacy when marking their ballots as all other voters.
- Poll workers must be trained about the right of voters to cast a ballot if they are present and in line at the polling place prior to the close of the polls. (See Poll Hours for opening and closing procedures)

### **Right to a Provisional Ballot**

- If a voter explicitly requests a provisional ballot, or they believe they should be listed on the voter roll, but are not, the voter has a right to cast a provisional ballot and to be told how they can find out whether their vote was ultimately counted, and if not, why not.
- Poll workers must be trained, per California election law, to give voters the benefit of the doubt when a voter claims they are properly registered and at the correct polling place. Valid registered voters who were denied their right to vote may challenge the election. So poll workers must offer voters who are not on the voter rolls a provisional ballot and let elections officials determine the voter's registration status after the polls close.
- Voters who are listed as absentee voters, but did not bring their absentee ballot with them to the polls, have a right to cast a provisional ballot.

### **Right to Replace a Spoiled Ballot**

- Voters may not be aware that they have the right to receive a new ballot if, prior to casting their ballot, they made a mistake marking their votes. Absentee voters may also request and receive a new ballot if they return their spoiled ballot to an elections official prior to the closing of the polls on Election Day. But poll workers should also be made aware that the law provides that a voter can receive a replacement ballot no more than two times (for a total of three ballots).

### **No Identification Unless Designated on the Roll**

- Voters have a right not to be asked for identification unless the voter roll explicitly states that ID is required (because the voter is a new voter who registered by mail). When asking for ID, the poll workers must know which forms of ID are acceptable – and that a photo ID is not required, but is simply one acceptable form of identification. Poll workers should also be instructed that a photo ID need not have the voter's address on it and need not be issued by a government agency.
- It must be clearly explained that if a voter designated as needing to provide identification either does not have any, or does not wish to provide any, the voter may still cast a provisional ballot without needing to show any identification.

### **Instruction on the Voting Equipment**

- A voter has the right to receive instruction on how to cast his or her ballot using the voting equipment in the voter's jurisdiction. Poll workers should be available to help voters understand how to use the equipment. Thus, poll workers must understand the proper procedures and tools for demonstration, including the use of specially marked demonstration ballots.

### **Election Day Posting Requirements**

- Poll workers must be informed what materials are to be posted at the polls on Election Day, and where each must be posted. This includes flags (and how to properly hang them), electioneering perimeter postings, Voter Bill of Rights posters (which the law requires to be “conspicuously posted both inside and outside every polling place”), and other related materials.

### **Reporting Fraud or Illegal Activity**

- Voters and others have the right to report any illegal or fraudulent activity. If a poll worker is asked, they should refer the voter to the local elections official or to the Secretary of State's Office. Voters may also file a written complaint if they are dissatisfied with the way an election is being run. Complaint forms are available on the Secretary of State's Web site, on the MyVoteCounts.org site, and from the Secretary of State's Office. Under federal law, complaints alleging violations of the Help America Vote Act of 2002 must be notarized.

### **Materials in the Voting Booth**

- Nothing in law prohibits a voter from bringing into the voting booth a sample ballot, the Voter Information Guide, a copy of the Voter's Bill of Rights, or other similar explanatory materials.

### **Other Rights**

In addition to these general rights of voters, some additional rights are applicable to certain voters depending on their situation or circumstances. Poll workers should be accommodating and flexible to ensure that these rights are protected as well.

### **Rights of Voters with Disabilities or Limited English Proficiency**

- Voters who are unable to vote without assistance have the right to receive assistance in casting their ballots. This means that a voter can bring one or two persons to assist them – or they may request assistance from a poll worker. Poll workers cannot ask why a third-party is assisting. Poll workers should be trained what to do (and what not to do) if they are asked to assist. For instance, poll workers assisting a voter with a disability should keep their opinions to themselves and not comment on the voter's selections. Doing this can create an environment of perceived or subtle intimidation, regardless of whether it was intended.

### **Rights of Voters with Disabilities**

- Voters with disabilities have a right to an accessible polling place or alternate means of casting a ballot. For example, poll workers should be familiar with the procedures to facilitate curbside voting. Poll workers can also re-direct voters with disabilities to an alternative accessible polling place if they cannot accommodate the voter in their precinct.

- Voters with disabilities have the right to reasonable modifications or removal of barriers to the voting process and provision of auxiliary aids and services. In other words, poll workers should be trained to provide voters with disabilities, if possible, with the opportunity to vote privately and without assistance. If this is not possible, they should do their best to accommodate a voter when the poll is not accessible.

**BEST PRACTICE:** *Poll workers should be instructed that before the polls open, they should connect and test any attachments to voting machines that provide accessibility to the disabled. (Some poll workers may then need to disconnect the attachments since some certified voting systems do not display anything on the screen if an audio device is attached.) Connecting and testing attachments allows poll workers to become familiar with the devices, and enables them to re-attach them quickly in the event they are needed.*

- All eligible citizens have the right to register to vote unless judicially deemed incompetent or otherwise ineligible. It is not up to poll workers to determine a person's registration qualification or competence to vote. Sometimes poll workers, upon seeing a voter who is disabled, may question the person's competence to vote. If the individual is properly registered, then that voter must be treated the same as any other voter. No voter, including a voter with psychiatric disabilities, is required to show any identification (unless they are a first-time voter who registered by mail), or to prove their competence to receive or cast a ballot. Voters with disabilities also have a right to cast a provisional ballot if the poll worker is unable to verify the voter's eligibility and the voter affirms that he or she is properly registered.
- All voters with disabilities must be accorded the ability to cast their secret ballot in private. They should not be asked to fill out their ballot at the table where poll workers are checking in voters, especially if they need assistance to fill out their ballot.

### **Rights of Voters with Limited English Proficiency**

- Voters who are not proficient English speakers or who are voting in a jurisdiction where their primary language is a designated Voting Rights Act language, are entitled to a ballot and other materials in that language. Poll workers must not make comments regarding voters using non-English materials.

**BEST PRACTICE:** *During training, it is often useful to have both a voter with a disability, and a voter with limited proficiency in English, relate to the class (either in person or via video) a prior bad experience trying to cast a vote. Hearing from someone directly can have a tremendous impact.*

- Voters who are unable to vote without assistance have the right to receive assistance in casting their ballots. This means that voters who are not

proficient in English may bring in someone to assist them in voting. They may also request assistance from a poll worker. Bilingual poll workers are not the only individuals who can assist voters with limited English skills, and all poll workers should be trained how to communicate with voters who do not speak English. Poll workers cannot ask why a third-party is assisting.

**BEST PRACTICE:** *Poll workers, bilingual or not, should be equipped with and trained to prominently display badges, nametags, stickers or ribbons identifying which languages they speak.*

- Poll workers should also be instructed to respect people from backgrounds different from their own or who do not speak English fluently. They should understand that all voters must be treated the same. See *Section 7 - Cultural Competency*.

**BEST PRACTICE:** *Training poll workers to ask voters politely how to spell their names can often eliminate miscommunication.*

- Voters understand poll workers are busy, but they do not understand when they are treated rudely, particularly if the rudeness is aimed at them due to a disability or their limited English skills. For instance, poll workers cannot move all people who do not speak English to the back of the line and help other voters first.

**BEST PRACTICE:** *Poll workers should understand that no matter what language a voter speaks, there are often simple ways to communicate effectively with the voter (e.g. hand signals, pantomimes, drawing pictures, etc.) if there is no one who speaks the voter's language.*

**BEST PRACTICE:** *Role-playing is an effective technique to use in explaining to poll workers that they do not have to use English to explain to a voter how to vote. It is also an effective technique to make poll workers more comfortable dealing with voters with special needs.*

### **Rights of Parents with Children**

- Voters have a right to take their child(ren) under age 18 with them into the voting booth, if the child is under the care of the parent. (EC §14222)

### **Rights of Absentee Voters**

- Every voter has a right to vote absentee if they applied for an absentee ballot by the statutory deadline. (EC §3003)
- To be counted, an absentee ballot must be received by the county elections office or deposited at any polling place in the county by the close of polls on Election Day. The ballot must be deposited by the voter or a designated third party (EC §3017). Mailed-in ballots received after that time may not be counted. (EC §3020)

- If a voter is listed as an absentee voter, but wishes to vote at the polling place and did not bring their absentee ballot with them, they have a right to vote using a provisional ballot.

### **Rights of Poll Watchers and the Media**

- Only poll workers and voters engaged in voting may be within the voting booth area during the time the polls are open. (EC §14221). Others may be in the polling place observing the process as long as they do not interfere. Poll workers should be instructed about how to treat poll watchers and how to expect poll watchers to treat them – both what poll watchers are allowed to do, and what they are not allowed to do.
- Poll workers must be made aware that voters and others who may be observing have the right to ask questions and to observe the elections process. They have the right to ask poll workers questions regarding election procedures and to receive an answer or be directed to the appropriate official for an answer. However, if persistent questioning disrupts the execution of their duties, the poll workers can stop responding.
- There are often people who visit polling places on Election Day to check the voter street index. These are commonly people working for campaigns checking to see if the voters they have identified as supporting their candidate have voted yet. Poll workers should have some direction in dealing with those individuals who periodically return to the polling place to check updates to the index.
- Media and pollsters have different rules than poll watchers. The media and pollsters may be within 25 feet of a polling place, and may speak to voters leaving the site as long as they do not interrupt voting. However voters may not be photographed, videotaped or filmed entering or exiting a polling place, and may not be filmed inside without the voter's permission. (EC §18541)

### **Rights of New Citizens and New Residents**

- Any person who has been sworn in as a new citizen of the U.S. after the close of the regular registration period (15 days before an election) may still register to vote and cast a ballot at the county elections office up to, and including, the seventh day before an election.
- Any person who is a new resident of the state may still register to vote and cast a ballot at the county elections office up to, and including, the seventh day before an election. (EC §3400)

### **Rights of Voters Who are Required to Provide Identification**

- Under federal law, new voters in a jurisdiction who registered by mail may be required to show identification to vote, unless they qualify for an exception under

the law. The roster of voters should clearly identify who should be asked for identification.

- Poll workers should understand this law, what forms of identification are accepted, and that if a new voter does not have identification with them, they have the right to vote using a provisional ballot without having to show identification.
- Poll workers must also be able to explain to voters why they, and not other voters, are being asked to show identification.

## 2. Election Challenge Procedures

A poll worker may challenge a person wishing to vote on several grounds. Poll workers must be instructed about the procedures for challenging a voter's eligibility and the permissible reasons.

Several types of behavior can be challenged. These include voter fraud (e.g. voting under a fictitious name or voting multiple times) and voter misconduct (e.g., intimidating or coercing other voters, tampering with a voting system or disrupting the operation of a polling place).

It should also be noted that it is a felony to knowingly challenge a person's right to vote without probable cause or on fraudulent or spurious grounds, or to engage in indiscriminate and groundless challenging of voters for the sole purpose of preventing voters from voting. It is also impermissible to delay the voting process or misinform a registered voter that they are not properly registered.

### **RECOMMENDATIONS:**

Poll workers must be informed how to properly handle challenges that come before them. They should also be informed that voters may contest an election based on misconduct by a poll worker. Such misconduct includes discriminating against voters based on race, ethnicity, or party affiliation; denying valid voters the right to cast a ballot; intentionally misinforming voters of their status; and coercing or intimidating voters.

Poll workers should immediately report all challengeable behavior to their county elections office, contact law enforcement if there is any disruption of polling place operations, and try to separate the disruptive behavior from the operation of the polling place. If the disruption continues, poll workers should contact their county elections office or local law enforcement and allow them to handle the situation.

***BEST PRACTICE:*** *If a disruption occurs, avoid direct confrontation. It is also best to move the parties involved outside and to a safe distance from the polling site so that the polling place can continue to process voters.*

***BEST PRACTICE:*** *Training for poll workers should include role-playing to provide poll workers with the chance to experience situations where they will have to confront challengeable behavior under different scenarios. This can also be done using a film or video to expose poll workers to various situations and have them see the appropriate responses.*

### 3. Operation of a Jurisdiction's Voting System

In California, the state certifies voting systems for use. Each county may choose a system from among those certified systems. There are three types of systems currently in use in California—direct recording electronic (DRE) systems (commonly referred to as touch screens), optical scan systems, and un-scored punch cards. Datavote is the only certified system of punch card system, but there are numerous certified DRE and optical scan systems certified for use in California.

While it is impossible to create uniform standards for train poll workers in operating voting systems since so many different systems are used in California, it is critical that poll workers be adequately trained and educated about operating the voting system equipment that will be in their polling place on Election Day.

Despite the differences across voting systems, there are certain basics in which all poll workers should be trained that are not dependent on the specific system used.

#### **RECOMMENDATIONS:**

To conduct each election properly and efficiently, poll workers must be instructed in the basic operation of their county's voting system. This training includes the following:

#### **Standard Operating Procedures and Troubleshooting**

As part of the certification process, manufacturers of each voting system are required to create standard operating procedures for the system's use. These are the instructions county elections officials and poll workers must follow when using the system.

Poll workers must be educated to know how to assemble, operate and dismantle a voting system and each component of that system.

#### **Hands-On Training**

Too often, poll workers have problems with complex voting systems, not because of the machine, but because they lack hands-on experience using the equipment.

Hands-on experience is critical to ensure minimal problems on Election Day. For counties using DRE and polling place optical scan systems, each poll worker should be trained to perform a hands-on poll opening initialization of system, as well as a complete closing procedure, including ballot tabulation. Poll workers should become familiar with common errors and receive hands-on training in how to correct those errors. Each poll worker should also understand the voter's perspective by walking through the process that a voter would encounter at the polling place.

This Task Force strongly recommends that each prospective poll worker receive up to one hour of hands-on training (or even more if necessary) with the voting system they will use on Election Day. If a system has more than one piece of equipment, poll workers must have hands-on training on each piece of equipment. Some systems clearly do not require significant training time (e.g., Datavote punch card machines), and

many returning poll workers may be proficient in the operation of the system already, but others, such as poll workers overseeing polling places using DRE systems for the first time can be extremely intimidated with the prospect of helping others use a machine they know little about.

***BEST PRACTICE:*** *There should be adequate machines in the training facility to ensure at least a 1:5 ratio of machines to poll worker students, enabling each student to receive adequate time learning to use the voting system.*

For counties with a central count paper ballot system, poll workers should be familiarized with poll opening procedures, and they should be given the chance to walk through all procedures in a role-playing setting, including opening the polls, the normal voting process, common errors, and closing the polls.

***BEST PRACTICE:*** *Poll workers often want to spend more time practicing how to use a voting system. Counties may wish to have additional optional workshops for poll workers, or have frequent “office hours” at several locations in the weeks before an election, so poll workers who feel tentative or uncomfortable with the system can come in and gain more experience assembling, dismantling, and operating the voting system.*

### **Written Guides**

All systems should have single-page procedure hand-outs for poll workers to reference during the day. There should be additional documentation available for troubleshooting as part of the overall polling place documentation.

### **Handling Problems**

Poll workers should be instructed how to troubleshoot common problems that might occur on Election Day. These should also be covered in training and in the materials provided to poll workers.

Poll workers cannot be expected to be troubleshooters for the more technical or unusual problems. As such, training sessions should reinforce clear protocols for poll workers to follow in requesting help from the jurisdiction’s elections office. It should be made clear to poll workers that they should inform the jurisdiction’s elections office of any unusual problems, particularly with electronic voting systems, as soon as they occur. On occasion, trying to resolve a problem or malfunction without guidance or expertise can create more serious problems or consequences.

## 4. Preventing, Detecting and Addressing Problems with Voting Systems

Elections cannot be carried out without poll workers and voting systems. The integrity of each California election depends on the reliability of the poll workers and the security of the millions of ballots and tens of thousands of voting machines used to record and tabulate votes. Therefore, one of the most important things to instruct poll workers on, is how to ensure the security of voting systems.

### **RECOMMENDATIONS:**

To ensure the security of each voting system, the Task Force recommends that training of poll workers include instruction on the following:

#### **Security**

If poll workers pick up ballots, voting equipment, or other sensitive materials prior to Election Day, training must include a rundown on how to keep those materials secure, and how to record an accurate chain of custody.

#### **Set-Up**

Training should include clear descriptions of security mechanisms used to ensure that materials and equipment at the polling place are in the same condition they were in when they left the elections office. Training should also include hands-on initializing of a voting system, stressing the importance of using all required security measures for a given system.

#### **Detecting Tampering**

Poll workers must have the opportunity to handle a voting system and gain instruction about the ways somebody could attempt to tamper with or disable it. They should be educated in what possible ways may be used to tamper with a system, how to recognize that tampering, and how to address the situation if they discover a machine has been, or is being, tampered with. Poll workers should also be instructed to inspect voting machines and booths periodically through the day.

***BEST PRACTICE:*** Training should include first-hand observations of mock attempts to tamper with a system, either via video or through role-playing.

#### **Social Engineering**

Poll workers should be instructed not to allow anyone to “troubleshoot” voting machinery without their identity being confirmed by calling the elections office. They should also be instructed to not to allow anyone to linger near the poll workers or the polling booths or otherwise hinder the continuous observation of the polling booths.

#### **Shut down**

Training should include hands-on instruction demonstrating the shutdown of a system, including how poll workers should secure and account for all ballots, paper record

copies and/or electronically recorded votes. The chain of custody rules should be reinforced at this time.

### **Safe Transport of Systems and Ballots**

Again, if poll workers receive voting equipment, ballots or materials in advance of the election, they should be instructed in basic security. Instruction should also include the rules for returning voted ballots and other voting equipment and materials. Instruction should include the requirements that at least two poll workers travel with voted ballots, and that a clearly documented chain of custody be maintained for all ballots and electronic media. Poll workers should be reminded, however, that health and personal safety must be their first concern, and they should not put themselves in danger in order to promptly return materials.

### **Breakdowns**

Training must provide instruction with clear procedures for addressing common voting equipment breakdowns that a poll worker could easily remedy (e.g., dead battery, jammed paper, unplugged machine, etc.).

***BEST PRACTICE:*** Training should include a hands-on walk-through of all common issues. If poll workers might need to fix a problem on Election Day, they should practice fixing that problem in training.

For all other breakdowns that are not easily remedied and for which they have not had training, poll workers should be instructed to immediately call for help. If they haven't been trained to fix it, they must call in someone who has. A log must be maintained at each polling place to record all incidents and how they were resolved.

### **Other Anomalies**

Training should repeatedly reinforce the predictability of properly running machines. If there is anything unusual happening, workers should log the problem and call the county elections office. Poll workers must be trained to understand that their primary job is to witness the accuracy of the process; if they question something, they should record it.

***BEST PRACTICE:*** If possible, training should include some role-playing or demonstration of unusual situations and how poll workers should observe and record the unusual events.

## 5. Poll Hours

Poll workers must be instructed about the procedures for the opening and closing of the polls on Election Day.

### **RECOMMENDATIONS:**

The Task Force recommends that poll workers receive instruction in the following details regarding the opening and closing times of the polls:

#### **Opening the Polls**

On the day of any election, the polls must open at exactly 7 a.m. and remain open until closing time at 8 p.m. the same day, when the polls close. (These times may differ for unconsolidated municipal elections). When the polls are opened, poll workers should announce loudly, “The polls are open,” before allowing any ballots to be cast. Voting shall begin as soon as the polls are opened and continue during the time the polls remain open.

#### **Closing the Polls**

When the polls are closed, poll workers should announce loudly, “The polls are closed.” No voters who arrive after the polls close may cast votes.-

Any voter who is in line at 8 p.m. when the polls close is allowed to vote. If there is a line when the polls close, a poll worker should stand at the back of the line to let others know the polls have closed. Any voter who arrives after the polls have closed may not vote even if voting is still ongoing when they arrive.

#### **Extended Poll Hours (by Court Order)**

Poll workers must be informed that there could be a court order to extend the voting hours, and how they will be informed. Poll workers may be notified of extended hours by phone, text message, or a visit from a roving inspector.

If a court order extends the time that the polls are open, poll workers must understand that the law requires all voters to cast provisional ballots during the extended time period. The provisional ballots cast during the extended time period must be kept separate from other provisional ballots cast throughout the day.

***BEST PRACTICE:*** Poll workers should be instructed to arrive at polling places from one half hour to one hour before the polls open, to give them adequate time to set up and ensure that polls are ready for operation promptly at 7 a.m. Allowing poll workers to practice setting up equipment can show them how long they will need for set-up so they can plan accordingly.

***BEST PRACTICE:*** Signs should be posted outside of polling places that provide information about what voters should do if their polling place is not open on time.

## 6. Relevant Election Laws and Procedures

There are many election laws with which poll workers must be familiar in order to properly and effectively carry out their responsibilities on Election Day. It is an enormous burden to train volunteers in the intricacies of numerous state laws, but it is critical to the legal conduct of the election.

The primary state election laws that poll workers will need to learn are those in Divisions 14, 18 and 19 of the California Elections Code. These sections explain the procedures that poll workers must follow on Election Day, including their duties, issuing ballots and closing procedures.

### **RECOMMENDATIONS:**

We recommend that poll worker education and the accompanying materials provide poll workers familiarity with the following state laws:

#### **Election Day Duties**

- EC §14211 Set up polling place room so that neither the ballot container, voting booths nor compartments are hidden from the view of those present.
- EC §14220 Majority of precinct board must be present at all times.
- EC §14200 Posting of Instruction Cards:
  - a. Sample ballot
  - b. The date of election and hours during which polling place will be open
  - c. Instructions on how to vote and how to cast a provisional vote
  - d. Instructions for mail-in registrants and first-time voters
  - e. Voter's Bill of Rights
  - f. General information on federal and state laws
- EC §14202 Posting of the Index:
  - Post in separate, convenient places, at or near polling place and in easy access to voters, at least two copies of street index.
- EC §14210 Distributing duties among members of precinct board.
- EC §14213 Proclaim polls are now open.
- EC §14215 Exhibit Ballot Containers
  - In presence of any voters at the polling place, precinct board shall open and exhibit and close the ballot container. Container shall not be removed from polling place or presence of bystanders until all the ballots are counted, nor may the container be opened until after the close of the polls.
- EC §14216 Combined Roster Index
  - a. Poll worker locates name of voter in Combined Roster Index
  - b. Poll worker has voter sign Roster with name and address
- EC §14217 Inability to find voter name on index
  - Inspector reiterates procedures on provisional ballot voting (see EC §14310-14312)

## EC §14240 Challenges

**BEST PRACTICE:** *Poll workers should be instructed to contact their county election office if they think they have a reason to challenge a voter's eligibility.*

Among the most important thing counties instruct poll workers to do to prevent the possibility of voter fraud or mischief is to mark the roster before Election Day to reflect which voters have applied for an absentee ballot (and, where applicable, also designating those who have already voted in-person during any early voting period). Precinct voter rosters are usually printed and distributed prior to the end of the absentee application period (and any early voting period). Therefore, only the names of those absentee applicants and early voters who applied prior to its printing deadline would be so designated on the precinct roster. Lists of those who applied for an absentee ballot (or early voted in person) after the rosters are often printed and mailed to poll workers with priority instructions to mark those additional names on their lists. With the numbers of absentee voters increasing each election, this can be a very large number.

Training on the use and the procedures of voting machines is also critical. Instruction should be provided on the following state laws, if applicable to the system in use in the county:

### **Procedures for Voting Machines**

- EC §19360 Checking machine
- EC §19361 Handling keys
- EC §19362 Everything in plain view of precinct board
- EC §19363 No loitering in voting booths
- EC §19370 Locking the machine in full view of poll watchers.
- EC §19371 Sealing the machine

Instruction must include guidance on the procedures for issuing and receiving ballots, and when and how to issue and handle provisional ballots. Instruction must also address how to properly process and count provisional ballots:

### **Issuing Ballots**

- EC §14272 Instruction on operating voting device
- EC §14273 Providing marking devices to voters
- EC §14274 Using marking device.
- EC §14275 Folding and returning ballot
- EC §14277 Removing ballot stub and depositing ballot
- EC §14282 Providing assistance to voters in need
- EC §14288 Replacing spoiled ballots
- EC §14290 Canceling spoiled ballots
- EC §14296 Canceling unused ballots
- EC §14294 Updating posted copy of Street Index every hour up until 6:00 pm

### **Provisional Voting**

- EC §14310 Issuing and handling provisional ballots
- EC §14311 Voters who moved since last election
- EC §14312 Construing these sections liberally in favor of provisional voter

### **Closing Procedures**

- EC §14400 All board members shall be present at the closing of the polls
- EC §14401 Proclaim polls closed
  - a. Place one poll worker at the end of the voter line at 8:00 pm
  - b. Any voter arriving after 8:00 pm cannot vote
- EC §14403 Deface or seal unused ballots
- EC §14405 Reconciliation of Ballots
  - a. Complete Ballot Statement
  - b. Account for all ballots—voted, unvoted and spoiled ballots
  - c. Reconciliation
- EC §14420 Processing of voted ballots
- EC §14421 Placement of Ballots in container

***BEST PRACTICE:*** *Training on ballot reconciliation, whether from a DRE printout or by counting paper ballots, is critical. Reconciling the numbers with the roster signatures is an important post-election procedure that seems to confuse a lot of poll workers. Walking through it during the training can help poll workers understand the importance of making sure they get the roster signatures right in the first place.*

### **Transferring Ballots and Materials**

- EC §14431 All ballots to be sealed
- EC §14432 Materials to be sealed
- EC §14430 Prepare supplies for delivery
- EC §14434 Delivery of supplies

Poll workers must also be aware of state election laws whose violation is a crime. These primarily relate to interfering with voters or their votes.

### **Intimidation of Voters**

- EC §18540 No voter intimidation
- EC §18541 No electioneering
  - No soliciting votes or placing campaign signs within 100 feet of polls
  - No photographing voters entering or exiting a polling place
- EC §18543 False voter challenge
- EC §18544 No firearms in a polling place

### **Corruption of Voting**

- EC §18562 Secrecy of ballots
- EC §18563 Secrecy of votes
- EC §18564 No tampering with voting machines

- EC §18567 Altering vote tallies
- EC §18568 No changing or destroying ballots or poll lists
- EC §18570 Delaying delivery of results

**BEST PRACTICE:** *Training materials should be designed in chronological order (i.e., the order in which poll workers will face the issue or task during Election Day) so that poll workers can easily find the answers to their questions.*

**BEST PRACTICE:** *Language used in training materials should avoid technical, legal and system jargon. Simple words and phrases should be used, or if not, should be explained or defined several times, including a glossary of terms at the end of the materials.*

## 7. Cultural Competency

Given the great diversity of the population in California, poll workers need to be taught to treat all voters with respect and to respond to each individual's needs to ensure that voters of all backgrounds are comfortably able to participate in the voting process. That is, all poll workers must be trained on cultural competency – the ability to recognize and to respond to cultural concerns of all societal groups, including their histories, traditions beliefs and value systems. This is not to say that poll workers need be instructed in the history of each societal group, but they must be cognizant of the differences and how their actions may be taken differently than they intend.

Poll workers must be taught that all U.S. citizens have the right to vote, regardless of what language they speak. Many U.S. citizens speak languages other than English, and in many California counties, ballots are available in a variety of languages. When multilingual ballots are available, voters who do not speak or read English are to be given a ballot in their language of choice. In addition, all non-English speaking voters are allowed to bring an individual to assist them at the polls.

### **RECOMMENDATIONS:**

To ensure that each poll worker is skilled in cultural competency, the Task Force recommends that training of poll workers include instruction on the following:

#### **Respect for Differences**

Poll workers should be trained to understand the changing demographics in their county and the importance of cultural sensitivity. They must be instructed to treat all voters the same way regardless of how they look or what language they speak. In order to achieve this, they must be educated to be considerate and patient, show everyone respect, anticipate voters' needs, and offer assistance when possible.

But poll workers should understand that while being patient and considerate is important, they must not put unnecessary pressure on themselves to know and to do everything "right." They must be patient in understanding the needs of a specific voter and not be embarrassed if they find that they are saying or doing the wrong thing.

#### **Offering Assistance**

It can be difficult to be sensitive to a voter's needs. Individuals may be much more independent than they appear to be. However, poll workers should not be afraid to ask a voter if they need assistance. If the person looks as if they need assistance, the poll worker should ask if there is something that they can do to provide assistance. If the voter has someone assisting them, the poll worker should communicate directly with the voter, and not the interpreter, companion or assistant.

#### **Voter Privacy**

Above all, poll workers must respect the voter's privacy. They should not ask inappropriate questions, and they must not watch them vote or tell them how to vote.

Training must emphasize the importance of voter confidentiality and lay out clear procedures for handling each ballot, no matter which language it contains.

### **Wait – Recognize – Listen**

Poll workers should be instructed to use three tools on Election Day:

- Wait - Slow down the reaction to launch into a quick response. Wait first to process the question, then formulate a more reasoned response.
- Recognize – Poll workers should focus on how to recognize other people's feelings.
- Listen – They should also attempt to listen before they speak, so they understand exactly what the voter is feeling and trying to say. Finally, they must put their assumptions on hold so they do not stereotype.

### **How and When Poll Workers Should Ask for Help**

Since a voter's experience today will impact his or her willingness to vote in the future, everyone should have a positive experience. Poll workers who are really having trouble communicating with a voter should be instructed to ask a bilingual poll worker for help or contact a hotline at the county elections office for assistance.

***BEST PRACTICE:*** *Counties should provide one hotline dedicated to poll workers and one hotline designed for voters to receive assistance in various languages.*

Educating poll workers to determine when and how to ask for help from a co-worker, supervisor or county election official is very useful.

### **Content of Cultural Competency Training**

When training poll workers on cultural competency, the training must address:

- Citizens who speak a language other than English
- Citizens from a racial or ethnic minority
- Citizens who have disabilities
- Citizens who are elderly

***BEST PRACTICE:*** *Use role-playing in training to reinforce cultural sensitivity.*

### **Display Materials**

So voters can immediately see that multilingual material is available at their polling place, poll workers should be trained to set up multilingual materials in plain view.

### **Removing Insensitive Poll Workers**

Finally, if a poll worker is identified as being culturally insensitive, either by actions or remarks, that poll worker should be asked to transfer to another polling place or to leave entirely.

***BEST PRACTICE:*** *Counties should broaden their poll worker recruitment to recruit workers who are diverse in age, ethnicity and language ability.*

**BEST PRACTICE:** *Provide a customer feedback form for voters to comment on the experience at the polling place. Allow voters to turn it in at the polling place or mail it back to the county elections office.*

## 8. Issues Confronting Voters with Disabilities

In addition to understanding how to respectfully treat people from different cultures, poll workers in California must also be trained to work with voters with disabilities. Poll workers must understand that all eligible citizens have the right to register to vote unless judicially deemed incompetent or otherwise ineligible. It is not up to a poll worker to determine a person's registration qualification. If the individual is properly registered, they must treat the voter with a disability as they would any other voter. Voters with disabilities must be accorded the ability to cast their ballot in private.

### **RECOMMENDATIONS:**

To ensure that each poll worker understands how to properly work with voters with disabilities, the Task Force recommends that training of poll workers include instruction on the following:

#### **Access**

Poll workers must be instructed how to ensure that physical access to the polling site is available for voters with a disability. They should be trained to temporarily modify the polling place arrangement (of tables, chairs, voting booths, etc.) to make it accessible.

#### **Provisional Ballots**

Poll workers should be instructed that their polling site may be accessible while other adjoining sites are not. As a result, other sites may direct voters with disabilities to their site due to its accessibility. Poll workers, therefore, must be prepared to provide voters with disabilities from other precincts the opportunity to cast provisional ballots.

#### **Curbside Voting**

If the polling place is not, and cannot be made, accessible, poll workers should understand that the voter has the option to go to an alternative accessible polling place to vote, or to request to vote via curbside voting. Poll workers must be familiar with the procedures for conducting curbside voting.

***BEST PRACTICE:*** Providing poll workers a demonstration or opportunity to actually sit in a wheelchair, enter a mock polling place blindfolded, or try to communicate with someone when they are only mouthing words, can give poll workers a much better understanding of the obstacle that voters with disabilities can face at a polling place if poll workers are not counseled in how to be sensitive and aware.

#### **Polling Place Set-up**

Poll workers must be familiar with the proper arrangement of furniture and equipment in polling sites to ensure that materials are accessible to all voters and to ensure that voters with disabilities are able to use equipment. This includes setting up materials to be at eye-level for voters in wheelchairs.

## **Voting System Access**

Not all voting systems are accessible, but each polling place, as of January 1, 2006, is required to have at least one accessible voting machine. Poll workers must ensure that voting systems are set up in an accessible manner, and that if a system has auxiliary aids that provide or improve access, they must be familiar with, not only their proper set-up and use, but even that they exist at all (e.g. magnifying glasses, audio headsets, etc.) Training should also include instruction on when and how to ensure that a voter is aware of the aids, without seeming disrespectful.

Poll workers should also be familiar with appropriate etiquette for working with voters with disabilities:

- Do not assume that voters with disabilities need assistance; always ask before providing help.
- Do not take the door out of a person's hand because they may be using it to provide leverage.
- Address a person in a wheelchair at his or her eye-level by bending or sitting down.
- When directing a person with a visual impairment to move about a room or building, describe the path to help the person get to their intended destination.
- Speak in a regular tone of voice to people with hearing or visual disabilities. Do not shout.
- If a voter has a sign language interpreter, speak directly to the voter, not the interpreter.
- If a voter with a hearing impairment does not have an interpreter, you may be able to use notes or speech-read.
- Use simple language and maintain eye contact.
- If a voter has a speech impairment and you do not understand his or her response, ask the person to repeat it, to spell it, or, provide a pencil to paper and ask the voter to write it down.
- If a voter has a cognitive impairment, be patient and allow him or her to find a word. Make sure you have the person's attention before speaking.
- If a voter uses a service animal, the animal is allowed in the voting booth with them. Do not interact with a service animal without the owner's permission.

For more information on working with voters with disabilities, and some best practices, see "Rights of Voters with Disabilities or Limited English Proficiency," beginning on page 14.

## 9. Procedures Involved with Certain First-time Voters, Provisional Voting, Absentee Voting, etc.

Poll workers will face a variety of situations on Election Day. Therefore, they need to be familiar with the procedures involved in handling them. The most frequent situations involve provisional voting, proof of identification for first time voters, absentee voting, electioneering, and working at a dual polling site.

***BEST PRACTICE:*** *Poll workers should be trained to process and assist all voters with a customer service mentality in order to make their experience as positive as possible. Congratulating a first-time voter for voting also sends a positive message.*

### **RECOMMENDATIONS:**

To address these common situations, the Task Force recommends that poll workers be educated on the following items:

#### **Certain First-Time Voters**

Poll workers should be reminded that the impression a voter gets the first time they vote may affect how they view the election process in the future. So poll workers should be friendly and inviting, welcoming new voters. Poll workers must know the requirements and conditions under which they need to see a voter's identification. Workers must be aware that only those voters listed in the voter roster as being required to provide identification can be asked to show identification.

Poll workers must also be made aware that if a voter who is designated as needing to show identification cannot or does not provide identification, the voter still may cast a provisional ballot without presenting any identification.

Poll workers must also be taught which forms of identification are acceptable, and the proper procedure for accepting and recording identification from voters.

#### **Provisional Voting and Fail-safe Provisional Voting**

Poll workers must be trained about the right of voters to request and cast a provisional ballot in case the voter's registration or voting status is in question.

A voter needs to vote a provisional ballot if:

1. The voter is not voting in his or her assigned precinct and the voter does not want to leave and go to his or her assigned precinct to vote.
2. A poll worker cannot locate the voter's name on the roster of voters.
3. The voter is listed as an absentee voter and did not bring his or her absentee ballot to surrender at the polling place.
4. In a primary election, the roster of voters shows that the voter is registered to vote in a different party than the party for which the voter claims he or she is registered.

5. The voter is voting for the first time after registering by mail, but did not bring or does not want to show the required identification.

If voters are in the wrong polling place, poll workers should inform them that they can either go to their assigned polling location to vote or they can stay and cast a provisional ballot. The poll workers should also explain the benefits and disadvantages of each option. If this type of situation occurs later in the day, and it may be difficult for the voter to travel to their assigned polling place before the polls close, the poll worker should recommend the voter stay and cast a provisional ballot instead of risking the possibility of arriving too late.

***BEST PRACTICE:*** Place a sign or placard near the roster informing voters, and reminding poll workers, that voter's have the right to request a provisional ballot if their name is not on the roster and poll workers must provide a provisional ballot to people who request one.

Poll workers should be informed how to handle provisional ballots, require voters to sign the envelope, and segregate provisional ballots so they can be counted separately later.

***BEST PRACTICE:*** Poll workers should be instructed to minimize voter confusion by checking to confirm they are providing the correct sample ballots to voters, particularly those voters casting provisional ballots.

Poll workers should also understand the fail-safe provisional process, and the right of fail-safe voters to cast a provisional ballot: A fail-safe voter is one who has moved from one address to another within the same county but who has not re-registered to vote at his or her new address. These voters may cast a provisional ballot at the polling place assigned to their current address. (EC §14311)

Poll workers should be informed how to request and obtain completed voter registration forms from provisional voters, and the process and timing by which provisional voters can contact the county's free access system to determine if the voter's provisional ballot was counted.

### **Absentee Voting**

Voters often receive an absentee ballot in the mail, but either forget to drop it in the mail before Election Day or decide that they want to deliver the absentee ballot in person or by an authorized third party. Sometimes voters change their mind and want to vote at the polls. Poll workers should be informed that on Election Day they may accept any absentee ballot issued by their county from the voter to whom it was issued or an authorized third party. They must also be informed how to handle blank absentee ballots brought in by those wishing to vote on voting equipment at the polling place (if the absentee ballot different from ballots cast on the voting system at the polling place). Finally, poll workers should be trained on how to record and handle voted and surrendered absentee ballots, where to place them, and how they should be handled during transport after the polls close.

Poll workers should also be advised that sometimes an absentee voter registered in one county will seek to hand in their absentee ballot at a polling place in another county. The voter should be advised that the ballot can only be accepted before the polls close in the county that issued the ballot.

### **Provisional Absentee Voting**

Poll workers should be informed about the process of providing a provisional ballot to absentee voters who did not bring their absentee ballot with them to the polling place. Poll workers should also be told how and when to request identification of absentee voters who drop off their absentee ballots but are listed on the rolls as voters who need to show identification before being allowed to vote.

### **Dual Polling Sites**

Dual polling sites, where voters from multiple precincts share one polling place location, can be confusing for both poll workers and voters. Poll workers need to understand the dynamics of a dual polling site so that they can minimize confusion and maximize efficiency for voters in such a site. Poll workers must pay close attention in order to avoid giving voters the wrong ballot.

### **Electioneering**

Poll workers must learn exactly what constitutes electioneering. They need to understand how to calculate 100 feet from a polling place, what activities are prohibited within that perimeter, and how to address the situation if they either observe or receive a report that electioneering is occurring in or near their polling place. Poll workers also need to be aware what types of materials are not allowed in the polling place, and how to remedy the situation if there is the potential for passive electioneering (e.g., a voter enters a polling place wearing a t-shirt or conspicuous button promoting a candidate). Instruction on the difference between electioneering and exit-polling (which is allowed beyond 25 feet of the polls) and how to handle pollsters who violate that perimeter should also be provided. (EC §18370)

***BEST PRACTICE:*** *Counties should review the performance of each poll worker's performance with a post-election survey of their fellow poll workers. Poll workers should be evaluated on key areas so that they can improve based on feedback on their performance, and so counties can remove poor workers and reallocate the best workers to serve in the busiest precincts or to become troubleshooters.*

## 10. Authority of Poll Workers and Appropriate Limits of that Authority

Poll workers must observe complex rules regarding their authority and responsibilities. They are burdened with managing a complex operation on an infrequent basis and must provide customer service to equally inexperienced voters.

The multitude of rules and details of election laws and procedures can have the effect of either intimidating or empowering poll workers. Either of these reactions can be problematic. Poll workers with insufficient courage may allow themselves to be bullied in ways that jeopardize the integrity of an election; for instance they may issue an official ballot to a voter who demands one instead of the provisional ballot that they should properly receive. Alternatively, a poll worker may become empowered to exercise inappropriate authority; for example, the worker might refuse to issue a provisional ballot when it is appropriate, thereby discouraging, intimidating, and ultimately disenfranchising the voter.

Given the variations in human character, these problems cannot be eliminated. However, election officials can try to control this behavior through poll worker training and education that emphasizes the *mission* of the poll worker, which is to assist every qualified voter to cast a ballot and to ensure that each ballot is safely secured until it can be counted. After training, poll workers can be coached and reminded on Election Day by “roving” inspectors who visit polling places throughout the day and emphasize these job basics.

### **RECOMMENDATIONS:**

To ensure poll workers are taught that they have the necessary tools to handle problems and to respond to problem customers (i.e., voters), the Task Force recommends that training regarding the limits on the authority of poll workers include the following:

- Poll workers should be confident that they have easily accessible written resources that will help them review procedures and make speedy decisions.
- Poll workers should be trained to contact the elections office and be given the proper tools to gain priority access to county officials. They should be made aware that all poll workers should feel comfortable calling for assistance if they feel they need help. If a poll worker has a question, they should not let another poll worker from dissuading them from calling, particularly if there is a threat of disenfranchising a voter.

**BEST PRACTICE:** *Some counties designate a specific private phone line for poll workers to call if they need language or any other type of assistance.*

- Poll workers should know how to instruct voters to contact the elections office themselves if they need further assistance.

**BEST PRACTICE:** *Poll workers should have printed cards with phone numbers and other contact information to give to voters.*

- Poll workers should understand that roving inspectors will visit them frequently during the day to troubleshoot and respond to questions or problems. Poll workers should feel comfortable calling on their roving inspectors at any time.

**BEST PRACTICE:** *Roving inspectors should have an evaluation tool, like a checklist, to ensure that every polling place is following the rules regarding voting, including providing assistance to voters with disabilities or language challenges and using provisional ballots.*

- Poll workers should receive clear instruction regarding how to handle electioneering, exit pollsters and poll watchers, and the most common situations where poll workers could face a confrontation.

**BEST PRACTICE:** *Poll workers should have a written, laminated instruction sheet to give to poll watchers and they should be instructed to have a place designated for poll watchers to stand or sit.*

- Poll workers should be instructed to call the police and the elections office if they feel uncomfortable or intimidated, if voters feel uncomfortable or intimidated by the behavior of any individuals, or if a disturbance of any kind occurs.
- Poll workers should be given clear, unambiguous instruction regarding the limits of their authority. They should understand that they do not have the discretionary authority to determine who may vote, but are required to consult with a supervisor or issue a provisional ballot when a question arises.
- Poll workers should understand that they will either be asked to leave or not be asked back if they take any actions that threaten the voting process or infringe on the rights of voters.

## 11. Further Recommendations

The members of the Secretary of State's Task Force on Uniform Poll Worker Training Standards worked for several months to develop these recommendations. The Task Force itself was created pursuant to a state statute adopted after the enactment of the federal Help America Vote Act of 2002 (HAVA). That law requires states to modernize voting systems, and provide education to voters, poll workers and election officials. So the directive of this Task Force, "to study and recommend uniform guidelines for the training" of poll workers is not only consistent with, but furthers the state's compliance with HAVA.

However, in the view of the members of this Task Force, adopting uniform standards is not sufficient. Once the Secretary adopts uniform poll worker training standards based on the recommendations presented here, what next? Should each county take these standards and seek to spend their own funds to create 58 different training courses? Since the California Elections Code directs counties to provide for the training of poll workers, this is what would likely occur.

This Task Force recommends the establishment of a centralized institution to take the uniform training standards and develop a single training program that can be offered to all counties, modified for each jurisdiction based on their unique requirements of languages, voting systems, geography, and voting population demographics.

California's HAVA State Plan, *"My Vote Counts: The California Plan for Voting in the 21st Century,"* states that the Secretary of State should "consider establishing, in conjunction with local elections officials, an Election Academy or similar institution to provide training, education and certification to elections officials and poll workers" to assist the state in meeting the requirements of Title III of HAVA.

The State Plan also suggests that the Secretary "consider establishing, in conjunction with local elections officials, an on-line, interactive training seminar to train, educate and certify elections officials and poll workers while ensuring that such a seminar is accessible to the widest possible audience, including bilingual poll workers and poll workers with disabilities." It also states that the Secretary should "consider producing and distributing, in conjunction with local elections officials and community-based, employee-based, campus-based, and similar organizations, in appropriate languages, printed materials, Web sites, Web site templates, and video on DVD or other appropriate media, providing training to elections officials and poll workers...."

This Task Force supports the establishment of such an Election Academy or Training Center, affiliated with a public university, and developed with participation from state and local elections officials. The establishment of such a training academy would enable the development of standardized training materials, minimizing costs and maximizing quality. Creating interactive training materials, such as a web-based system with various modules, would allow poll workers to receive training on their own time, and allow them to revisit the training several times before Election Day. This academy

should also conduct and sponsor research to examine the election process and seek ways to improve how elections are conducted.

We are aware that the Secretary of State's Office has made initial contacts with at least one university and is seeking approval for funding. We heartily endorse this effort, which could also provide support to counties to evaluate poll worker education to achieve improvements in a system that has never been adequately reviewed.

## **VII. Best Practices**

### **1. Poll Worker Training Methods and Materials**

The goal of training is to ensure that poll workers are prepared to perform their duties correctly. Training sessions help them retain as much information as possible on Election Day. Studies have shown that poll workers, like all adult learners, learn best by short, interactive training sessions.

#### **Length and Timing of Training**

Training sessions about Election Day processes and procedures should last no more than 60 – 90 minutes. If more time is needed, the training should be broken into discrete sections with 10-15 minute breaks in between. In addition to training poll workers on content, there should also be a training session specific to the voting equipment that will be used on Election Day. Training should occur as close to Election Day as possible. Ideally, training should not happen more than six weeks before the election.

#### **Conducting Training**

The most effective training for adult learners maximizes interaction between the trainers and the trainees. Interactive training includes role playing, setting up mock polling places, the identification of objects, team exercises and questions posed to members in the audience. Lecture formats and multiple-choice tests are the least effective methods for training adults.

It is a good idea for trainers to give an introduction to begin the training session by telling the poll workers what they will be learning. The goal and purpose of each lesson should be clearly stated before it is taught. Adult learners tend to retain information when they understand why it is being taught to them.

In addition, soliciting comments from the audience during exercises can help reinforce the material being taught. Trainers should use positive feedback when responding to questions from the audience. Rather than saying that an answer is wrong, it is best to try to find a portion of the answer that is accurate and form the right answer from there.

It may be worth considering forming a partnership with local continuing education professionals who are familiar with adult learning techniques to train the trainers.

#### **Use Materials That Will Be Used on Election Day**

Election Day materials should be used during training sessions. Poll workers should be asked to find a certain section in the materials or conduct an exercise based on the materials. This will help reinforce the content of the materials. Training and Election Day materials are most effective when they are accessible to the people using them. Materials should be easy to read, as short as possible, and in chronological order, including graphics and having the most important information in the most visible places.

**Additional Workshops or Clinics**

Counties may also wish to consider providing poll worker training workshops or clinics in the days leading up to Election Day. The clinic can be housed at the county elections office and include the availability of operating voting machinery. Clinics allow poll workers to test their ability to use the machinery and test their knowledge of common issues they could face on Election Day.

**Measuring Success**

Finally, it is important to measure the success of training programs to determine their effectiveness. After each training session, poll workers should be asked to fill out an evaluation form to gauge their opinions of the training. In addition, counties can track weaknesses in training by determining what problems occurred on Election Day and in which precincts or polling places.

## 2. Poll Worker Recruitment

In every election, California elections officials, like their counterparts across the nation, face the challenge of finding enough poll workers to conduct the election. California law limits the number of voters who may be assigned to a polling place and prescribes the minimum number of poll workers who must staff each polling place. A large number of poll workers are needed on Election Day to ensure the success of the election.

### **Common Recruiting Strategies**

Common strategies for poll worker recruitment include:

- Newspaper ads and public service announcements
- Ads in public places, such as on buses
- Ads on election office Web sites
- Letters and visits to service clubs and other groups
- Personal recruiting visits to high schools
- Poll worker applications included in sample ballots and other mailings.

### **Recruiting Experienced Workers**

Before each election, a concerted effort must be made to recruit new poll workers. The single greatest pool of eligible poll workers is the database each county maintains of those who have worked for them before. Most election officials agree that it is worth the effort, whenever possible, to remind those individuals of approaching elections well in advance of the election with newsletters and “save the date” reminders. It is also important to express deep gratitude for the service poll workers perform by providing the resources they need and by taking care to respect and thank them.

A prompt response to persons interested in being a poll worker can make the difference between a surplus and shortfall of workers on Election Day. Poll worker outreach coordinators should set appropriate deadlines for promptly responding to poll worker inquiries.

The effectiveness of other methods of poll worker recruitment is not known. For this reason, recommendations concerning best practices are speculative. Nonetheless, several counties in California have had success with the recruitment methods described below.

### **Recruiting Students**

Most experienced election officials agree that the time and expense of recruiting high school students to be poll workers is well worth the effort. These students have a good response rate for the effort required to recruit them, and they possess attributes that make them especially valuable at the polls. Chief among these is their value as bilingual poll workers. Bilingual students are comfortable in the translator role, and they are a great resource for this service.

Colleges are also a good source of recruits. College students are easy to train, are attracted by the money they can earn on Election Day, and can easily understand how

to operate technologically complex voting machines. Some professors have also been willing to offer class credit for students who serve as poll workers. It may be worthwhile for county officials to work with community college, college and university administrations to encourage poll worker recruitment on campus and institutionalize class credit for service. Reaching out directly to local college fraternities and sororities, who are usually required by their bylaws to perform community service activities, may also be inclined to sign up their members as poll workers in order to both serve the community and raise funds by pooling the stipends each member receives for working at the polls.

Another, often-overlooked, source of poll workers is a county's retired grand jury members. Some counties utilize county workers, and this can be a good source of people who have the time to train, a commitment to serving the public, and an investment in the success of the election in their county. After the experience, county workers often spread the word to their co-workers, thereby becoming a source for recruiting additional experienced and committed poll workers.

### **Split Shifts**

Another idea that has been successfully used in some counties is the concept of splitting shifts between poll workers with one member of the pair working the first half of the day and the other working the second half. Split shifts may be somewhat complex because counties may have difficulties splitting stipend checks. Counties have overcome this difficulty by inviting poll workers who know each other to sign up for split shifts, paying one of the workers in full, and leaving it to the workers themselves to split the payment.

### **Generating Publicity**

Pitching stories to local media about the need for poll workers has also aided recruitment. One county has tried to get local TV reporter/anchor to spend time as a poll worker and do reports on the process and the experience. But sending out press releases highlighting how the process works, how much a worker can earn, and the positive experience of past workers can be useful. Some counties do public service announcements with local celebrities for broadcast on local television and radio, and publication in local newspapers. Another idea is to pitch a story to local journalists about the colorful characters who serve as poll workers; people who will be entertaining to watch but can also be cheerleaders for serving as a poll worker.

### **Direct Mail Solicitation**

Some counties have successfully used direct mail to recruit poll workers by sending a solicitation mailing to voters who have voted in two recent elections and are at least 50 years old.

### **Contests and Awards**

Another idea is to hold a contest with awards to those who recommend others to serve as poll workers. The person who gets the most people to actually serve could be awarded a prize.

### 3. Best Practices Compilation

The following is a collection of the “Best Practices” tips scattered throughout the Recommendations sections. The tips are organized below in the same order, by category:

#### 1. The Rights of Voters

**BEST PRACTICE:** *Poll workers should be instructed that before the polls open, they should connect and test any attachments to voting machines that provide accessibility to the disabled. (Some poll workers may then need to disconnect the attachments since some certified voting systems do not display anything on the screen if an audio device is attached.) Connecting and testing attachments allows poll workers to become familiar with the devices, and enables them to re-attach them quickly in the event they are needed.*

**BEST PRACTICE:** *During training, it is often useful to have both a voter with a disability, and a voter with limited proficiency in English, relate to the class (either in person or via video) a prior bad experience trying to cast a vote. Hearing from someone directly can have a tremendous impact.*

**BEST PRACTICE:** *Poll workers, bilingual or not, should be equipped with and trained to prominently display badges, nametags, stickers or ribbons identifying which languages they speak.*

**BEST PRACTICE:** *Training poll workers to ask voters politely how to spell their names can often eliminate miscommunication.*

**BEST PRACTICE:** *Poll workers should understand that no matter what language a voter speaks, there are often simple ways to communicate effectively with the voter (e.g. hand signals, pantomimes, drawing pictures, etc.) if there is no one who speaks the voter’s language.*

**BEST PRACTICE:** *Role-playing is an effective technique to use in explaining to poll workers that they do not have to use English to explain to a voter how to vote. It is also an effective technique to make poll workers more comfortable dealing with voters with special needs.*

#### 2. Election Challenge Procedures

**BEST PRACTICE:** *If a disruption occurs, avoid direct confrontation. It is also best to move the parties involved outside and to a safe distance from the polling site so that the polling place can continue to process voters.*

**BEST PRACTICE:** *Training for poll workers should include role-playing to provide poll workers with the chance to experience situations where they will*

*have to confront challengeable behavior under different scenarios. This can also be done using a film or video to expose poll workers to various situations and have them see the appropriate responses.*

### **3. Operation of a Jurisdiction's Voting System**

**BEST PRACTICE:** *There should be adequate machines in the training facility to ensure at least a 1:5 ratio of machines to poll worker students, enabling each student to receive adequate time learning to use the voting system.*

**BEST PRACTICE:** *Poll workers often want to spend more time practicing how to use a voting system. Counties may wish to have additional optional workshops for poll workers, or have frequent "office hours" at several locations in the weeks before an election, so poll workers who feel tentative or uncomfortable with the system can come in and gain more experience assembling, dismantling, and operating the voting system.*

### **4. Preventing, Detecting and Addressing Problems with Voting Systems**

**BEST PRACTICE:** *Training should include first hand observations of mock attempts to tamper with a system, either via video or through role-playing.*

**BEST PRACTICE:** *Training should include a hands-on walk through of all of common issues. If poll workers might need to fix a problem on Election Day, then they should practice fixing that problem in training.*

**BEST PRACTICE:** *If possible, training should include some role-playing or demonstration of unusual situations and how poll workers should observe and record the unusual events.*

### **5. Poll Hours**

**BEST PRACTICE:** *Poll workers should be instructed to arrive at polling places from one half hour to one hour before the polls open, to give them adequate time to set up and ensure that polls are ready for operation promptly at 7 a.m. Allowing poll workers to practice setting up equipment can show them how long they will need for set-up so they can plan accordingly.*

**BEST PRACTICE:** *Signs should be posted outside of polling places that provide information about what voters should do if their polling place is not open on time.*

### **6. Relevant Election Laws and Procedures**

**BEST PRACTICE:** *Poll workers should be instructed to contact their county election office if they think they have a reason to challenge a voter's eligibility.*

**BEST PRACTICE:** Training on ballot reconciliation, whether from a DRE printout or by counting paper ballots, is critical. Reconciling the numbers with the roster signatures is an important post-election procedure that seems to confuse a lot of poll workers. Walking through it during the training can help poll workers understand the importance of making sure they get the roster signatures right in the first place.

**BEST PRACTICE:** Training materials should be designed in chronological order (i.e., the order in which poll workers will face the issue or task during Election Day) so that poll workers can easily find the answers to their questions.

**BEST PRACTICE:** Language used in training materials should avoid technical, legal and system jargon. Simple words and phrases should be used, or if not, should be explained or defined several times, including a glossary of terms at the end of the materials.

## **7. Cultural Competency**

**BEST PRACTICE:** Counties should provide one hotline dedicated to poll workers and one hotline designed for voters to receive assistance in various languages.

**BEST PRACTICE:** Use role-playing in training to reinforce cultural sensitivity.

**BEST PRACTICE:** Counties should broaden their poll worker recruitment to recruit workers who are diverse in age, ethnicity and language ability.

**BEST PRACTICE:** Provide a customer feedback form for voters to comment on the experience at the polling place. Allow voters to turn it in at the polling place or mail it back to the county elections office.

## **8. Voters with Disabilities**

**BEST PRACTICE:** Providing poll workers a demonstration or opportunity to actually sit in a wheelchair, enter a mock polling place blindfolded, or try to communicate with someone when they are only mouthing words, can give poll workers a much better understanding of the obstacle that voters with disabilities can face at a polling place if poll workers are not counseled in how to be sensitive and aware.

## **9. Procedures Involved with First-time voters, Provisional Voting, Absentee Voting, etc.**

**BEST PRACTICE:** Poll workers should be trained to process and assist all voters with a customer service mentality in order to make their experience as

positive as possible. Congratulating a first-time voter for voting also sends a positive message.

**BEST PRACTICE:** Place a sign or placard near the roster informing voters, and reminding poll workers, that voter's have the right to request a provisional ballot if their name is not on the roster and poll workers must provide a provisional ballot to people who request one.

**BEST PRACTICE:** Counties should review the performance of each poll worker's performance with a post-election survey of their fellow poll workers. Poll workers should be evaluated on key areas so that they can improve based on feedback on their performance, and so counties can remove poor workers and reallocate the best workers to serve in the busiest precincts or to become troubleshooters.

**BEST PRACTICE:** Poll workers should be instructed to minimize voter confusion by checking to confirm they are providing the correct sample ballots to voters, particularly those voters casting provisional ballots.

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## **10. Authority of Poll Workers and Appropriate Limits of that Authority**

**BEST PRACTICE:** Some counties designate a specific private phone line for poll workers to call if they need language or any other type of assistance.

**BEST PRACTICE:** Poll workers should have printed cards with phone numbers and other contact information to give to voters.

**BEST PRACTICE:** Roving inspectors should have an evaluation tool, like a checklist, to ensure that every polling place is following the rules regarding voting, including providing assistance to voters with disabilities or language challenges and using provisional ballots.

**BEST PRACTICE:** Poll workers should have a written, laminated instruction sheet to give to poll watchers and they should be instructed to have a place designated for poll watchers to stand or sit.

## APPENDIX 1: Survey of Training for March 2004 Election

COUNTY	Voting System used in March 2004 Elections	1. How many poll workers did you train for 3/04 Primary?	2a. What percent were returning poll workers?	2b. What percent had never been a poll worker?	3. How many were student poll workers on 3/2?	4. How long were your county's training sessions (in hours)?	5. How long did each poll worker train on your voting system?	6. Do you use nontraditional training methods?
ALAMEDA	DRE	1361	70%	30%	604	2.5	30-60 minutes	video tape
ALPINE	Punchcard	0	0%	0%	0	0.5	n/a	*Note: County is an all vote by mail, there are no poll workers
AMADOR	Optical Scan	100	94%	5%	0	2	varies	no
BUTTE	Optical Scan	717	70%	30%	72	2-2.5	30 minutes	Web site-online training & CD-Training Program
CALAVERAS	Punchcard	133	86%	14%	0	1.5	none	no
COLUSA	Optical Scan	70	80%	20%	4	2	none	no
CONTRA COSTA	Optical Scan	2081	80%	-	35	1.75	5-10 minutes	PowerPoint presentation
DEL NORTE	Punchcard	70-76	50%	50%	0	2	none	no
EL DORADO	Punchcard	542	70%	30%	100	2	n/a	Power point
FRESNO	Optical Scan	1348	59%		392	2	20 minutes	no
GLENN	Punchcard	55	87%	37%	0	1	none	Video tape from LA Co.
HUMBOLDT	Optical Scan	228	76%	24%	2	3	60-90 minutes	No, overhead projector
IMPERIAL	Punchcard	290	majority	unknown	0	2	45 minutes	no
INYO	Punchcard	80-100	90%	5-10%	0	1.5-2	15-20 minutes	no
KERN	DRE	1764	98%	-	105	2-4	20 minutes	Internet, DVD & VHS training
KINGS	Optical Scan	208	78%	22%	24	1.5-2	varies	no
LAKE	Optical Scan	142	86%	14%	0	2	n/a	no
LASSEN	Optical Scan	58	10%	-	6	1.5	30 minutes	No
LOS ANGELES	Optical Scan (DRE for early voting)	19576	86%	14%	2072	1.5 – optical scan; 6 - DRE early voting	30 minutes - 2 hours	video, PowerPoint, hands-on exercises
MADERA	Optical Scan				0	2	n/a	no
MARIN	Optical Scan	750	70%	30%	16	1	varies	no
MARIPOSA	Optical Scan	60	99%	1%	0	2.5	varies	no
MENDOCINO	Optical Scan	252	90%	10%	15-20	2.5	90 minutes	no
MERCED	DRE	-	80%	20%	0	2	varies	LCD
MODOC	Optical Scan	44	71%	29%	15	3	10 minutes	no
MONO	Optical Scan	30	90%	10%	2	1	10 minutes	no
MONTEREY	Optical Scan	526	unknown	unknown	5-10	varies	varies	no
NAPA	DRE	420	90%	10%	0	3	3 hours	Hands-on
NEVADA	Optical Scan	169	70%	30%	27	1.5	-	PowerPoint presentation
ORANGE	DRE	2000	80%	20%	27	1.5-2	1 hour	Methods lab and lab instruction relating to polling place practices
PLACER	Optical Scan	1000	75%	25%	7	3	1 1/2 hours	Power point & hands-on training
PLUMAS	DRE	92	92%	8%	0	3	1 hour	n/a
RIVERSIDE	DRE	2289	unknown	unknown	142	1.25	45 minutes	VHS, DVD
SACRAMENTO	Optical Scan	3003	70%	30%	100-150	2	n/a	PowerPoint & Manual
SAN BENITO	Punchcard	125	75%	25%	0	1.5	-	no

COUNTY	Voting System used in March 2004 Elections	1. How many poll workers did you train for 3/04 Primary?	2a. What percent were returning poll workers?	2b. What percent had never been a poll worker?	3. How many were student poll workers on 3/2?	4. How long were your county's training sessions (in hours)?	5. How long did each poll worker train on your voting system?	6. Do you use nontraditional training methods?
SAN BERNARDINO	DRE	2050	76%	24%	397	2	1 hour	Power point
SAN DIEGO	DRE	6930	unknown	unknown	490	2	2 hours	no
SAN FRANCISCO	Optical Scan	3200	70%	30%	800	2	40 minutes	No
SAN JOAQUIN	DRE	2000	75%		120	4	4 hours	Hands-on
SAN LUIS OBISPO	Optical Scan		40%		72	2 (+ 4 hour workshop)	5 minutes	no
SAN MATEO	Optical Scan	2024	79%	21%	1	2.25	varies	No
SANTA BARBARA	Optical Scan	853	82%	18%	2	2-3	none	video tape
SANTA CLARA	DRE	3900	33%	67%	279	3	2 hours	Election Officer Lab open for 1 on 1 training 2 weeks prior to election
SANTA CRUZ	Optical Scan	800	75%	25%	41	1.5	-	-
SHASTA	DRE	460	80%	20%	13	3	varies	no
SIERRA	Punchcard	21	86%	14%	0	2	2 hours	No
SISKIYOU	Optical Scan	175	unknown	unknown	18	1.5-2	30-45 minutes	n/a
SOLANO	DRE	700	85-90%	10-15%	10-15	3	2 hours	no
SONOMA	Optical Scan	600	70%	30%	124	2	n/a	no
STANISLAUS	Optical Scan	368	82%	18%	77	1.5-2	none	no
SUTTER	Optical Scan	245	90%	10%	0	5	n/a	no
TEHAMA	DRE	251	unknown	unknown	4	6	2 hours	no
TRINITY	Optical Scan	46	90%	10%	9	.75-1	varies	Individual training done at each precinct
TULARE	Optical Scan	343	75%	-	111	1.83 (1 hr 50 mins)	10-15 minutes	No
TUOLUMNE	Optical Scan	184	80%	20%	0	2	n/a	Slide show and manuals
VENTURA	Punchcard	972	unknown	unknown	70	2	varies	PowerPoint, role playing scenarios, quizzes
YOLO	Punchcard	391	60%	40%	12	1-2	5 minutes	DVD's for additional training
YUBA	Punchcard	148	33%		5	4	n/a	no
TOTAL / AVERAGES	---	66,094	73%	22%	6,297	2.154 (2 hrs 9 mins) – 2.298 (2 hrs 18 mins)	52-57 minutes	--

## **APPENDIX 2: Outline of Recommendations**

The following is an outline of the Task Force's recommendations:

### **I. The Rights of Voters**

#### **A. General Rights**

- (1) Right to Cast a Ballot
  - (a) Valid Registered Voters
  - (b) Secret Ballot free from intimidation
  - (c) Voters Present and In Line when Polls Close may cast a Ballot
- (2) Right to a Provisional Ballot
  - (a) Basics of Provisional Voting
  - (b) Benefit of doubt given to voters
  - (c) Absentee Voters
- (3) Right to Replace a Spoiled Ballot
- (4) No Identification Unless Designated on the Roll
  - (a) When to ask for ID
  - (b) Acceptable forms of ID
  - (c) Voting Provisional without ID
- (5) Instruction on the Voting Equipment
- (6) Election Day Posting Requirements
  - (a) Voter Bill or Rights
  - (b) Other Postings
- (7) Reporting Fraud or Illegal Activity
- (8) Materials in the Voting Booth

#### **B. Other Rights**

- (1) Rights of Voters with Disabilities or Limited English Proficiency
  - (a) Right to receive assistance
  - (b) Rights of Voters with Disabilities
    - (i) What to do and what not to do if asked to assist
    - (ii) Right to an accessible polling place or alternate means of casting ballot.
    - (iii) Right to reasonable modifications.
    - (iv) Not up to poll workers to determine a person's registration qualifications.
    - (v) Ability to cast secret ballot in private.
  - (c) Rights of Voters with Limited English Proficiency
    - (i) Voting materials in their language.
    - (ii) Right to receive assistance in their language.
    - (iii) Bilingual poll workers
    - (iv) Respect for people speaking other languages
    - (v) No disrespect to voters
  - (d) Rights of Parents with Children
  - (e) Rights of Absentee Voters
    - (i) Casting absentee ballot at polling place
    - (ii) Right to provisional ballot
  - (f) Rights of Poll Watchers and the Media
    - (i) How to treat poll watchers
    - (ii) Right to observe and ask questions.
    - (iii) Rules for media and pollsters
  - (g) Rights of New Citizens and New Residents
  - (h) Rights of Voters who are Required to Provide Identification
    - (i) Who can be asked for identification
    - (ii) Acceptable forms of identification

## **II. Election Challenge Procedures**

- A. How to handle a challenge
- B. Contesting an election due to poll worker misconduct
- C. Reporting challengeable behavior

## **III. Operation of a Jurisdiction's Voting System**

- A. Standard Operating Procedures and Troubleshooting
  - 1. Assembling the voting system and its component parts
  - 2. Operating the voting system and its component parts
  - 3. Dismantling a voting system and its component parts
- B. Hands-On Training
  - 1. Hands-on poll opening initialization of system
  - 2. A complete closing procedure including tabulation.
  - 3. Common errors and how to fix them
  - 4. Walking through a normal voting process
  - 5. At least one hour of hands-on training with voting system
- C. Written Guides
  - 1. Single page procedures
  - 2. Troubleshooting information
- D. Handling Problems
  - 1. Troubleshooting common problems
  - 2. Handling less common situations

## **IV. Preventing, Detecting and Addressing Problems with Voting Systems**

- A. Security of Voting System and Materials
- B. Set-Up
  - 1. Security mechanisms
  - 2. Hands-on initializing
- C. Detecting Tampering
  - 1. How tampering could occur
  - 2. How to recognize tampering
  - 3. How to address tampering if discovered
  - 4. Inspecting booths throughout Election Day
- D. Social Engineering
  - 1. No troubleshooting by unidentified volunteers
  - 2. Continuous observation of polls
- E. Shut down
  - 1. Hands-on instruction of shut down
  - 2. Securing and accounting procedures
  - 3. Chain of custody
- F. Safe Transport of Systems and Ballots
  - 1. Basic security for transporting voting materials
  - 2. Rules for returning materials
  - 3. Two poll workers traveling together
  - 4. Documented chain of custody
  - 5. Health and safety the first concern
- G. Breakdowns
- H. Other Anomalies

## **V. Poll Hours**

- A. Opening the Polls
- B. Closing the Polls
- C. Extended Poll Hours (by Court Order)
  - 1. How they will be informed
  - 2. Procedures if poll hours extended

## **VI. Relevant Election Laws and Procedures**

- A. Election Day Duties
- B. Procedures for Voting Machines
- C. Issuing Ballots
- D. Provisional Voting
- E. Closing Procedures
- F. Transferring Ballots and Materials
- G. Intimidation of Voters
- H. Corruption of Voting

## **VII. Cultural Competency**

- A. Respect for Differences
  - 1. Changing demographics
  - 2. Consideration, patience and respect
- B. Offering Assistance
- C. Voter Privacy
- D. Three Tools: Wait – Recognize – Listen
- E. How and When Poll Workers Should Ask for Help
- F. Content of Cultural Competency Training
- G. Display Materials
- F. Removing Insensitive Poll Workers

## **VIII. Issues Confronting Voters with Disabilities**

- A. Access
  - 1. Ensuring physical access to polling place
  - 2. Temporarily modifying the polling place
- B. Provisional Ballots
- C. Curbside Voting
- D. Polling Place Set-up
- E. Voting System Access
  - 1. Setting up systems in accessible manner
  - 2. Familiarity with auxiliary aids
  - 3. Ensuring voters are aware of auxiliary aids
  - 4. Appropriate etiquette for working with voters with disabilities

## **IX. Procedures Involved with Certain First-time Voters, Provisional Voting, Absentee Voting, etc.**

- A. Certain First-Time Voters
  - 1. Impressions of first-time voters
  - 2. Identification requirements
- B. Provisional Voting and Fail-safe Provisional Voting
  - 1. Right to request and cast a provisional ballot
  - 2. When a voter needs to cast a provisional ballot
  - 3. When voters are in the wrong precinct
  - 4. Process for handling provisional ballots
  - 5. Fail-safe provisional process
  - 6. Providing information on the free access system for provisional voters
- C. Absentee Voting
  - 1. Accepting absentee ballots at the polls
  - 2. How to handle blank absentee ballots
  - 3. Procedures for handling absentee ballots
- D. Provisional Absentee Voting
- E. Dual Polling Sites
  - 1. What is a dual polling site?
  - 2. Ways to minimize confusion
- F. Electioneering
  - 1. What constitutes electioneering?

2. How to calculate 100 feet
3. Prohibited activities
4. How to address electioneering
5. Materials not allowed in polling place
6. How to remedy passive electioneering

**X. Authority of Poll Workers and Appropriate Limits of that Authority**

- A. Authority of Poll workers
- B. Limits on their Authority
- C. What to Do if Problem Exceeds their Authority
- D. How to Handle Electioneering, Exit Pollsters and Poll Watchers
- E. Intimidation or Disturbances
- F. Consequences if they Breach Limits on their Authority

**XI. Further Recommendations**

- A. Establishing Election Academy
- B. Interactive Training
- C. Standardized Training Materials